

MINUTES

ALCOHOL AND TOBACCO COMMISSION

AUGUST 6, 2002
(Approved August 20, 2002)

CALL TO ORDER/NOTING OF QUORUM

Chairperson DePrez called the meeting to order and noted the quorum and the attendance. Present were Vice Chairperson Glass, Commissioner Davis and Commissioner Marks. Also in attendance were Superintendent Davis, Executive Secretary Steiner and Industry Liaison Okey.

Pam Ferguson of WSWI, Jim Calvert of Olinger, Ronna Chappell of ILBA, Mark Shublak of Ice Miller, Jeff McKean and Tom Johnson of IABR were present as observers.

COMMUNICATIONS FROM THE FLOOR

There were no Communications From the Floor.

DISPOSITION OF MINUTES

Commissioner Marks moved to approve the minutes that were submitted for the July 16, 2002 meeting. Motion seconded by Commissioner Davis and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

There were no Hearing Judge's Recommendations.

APPEAL OF HEARING JUDGE'S RECOMMENDATIONS

There were no Appeals of Hearing Judge's Recommendations.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Davis and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have

been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Marks and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairperson Glass and it was unanimously approved.

Three hundred ten (310) renewals approved, twenty-five (25) new and/or transfer permits approved, eleven (11) permits conditionally approved, four (4) permits approved for first year escrow and three (3) permits approved for second year escrow and one (1) permit approved for third year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Marks moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Vice Chairperson Glass and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL46-19843 GAS CITY LTD. – Vice Chairperson Glass noted this is a new type 116 application with the local board voting three (3) to one (1) to disapprove.

Vice Chairperson Glass moved to uphold the local board’s recommendation to deny the new permit. Motion seconded by Commissioner Davis and it was unanimously approved.

RR71-05358 MURPHY’S, INC. – Vice Chairperson Glass noted this is a type 210 renewal application with the local board voting four (4) to zero (0) to approve.

Vice Chairperson Glass moved to uphold the local board’s recommendation to approve the renewal. Motion seconded by Commissioner Marks and it was unanimously approved.

RR82-19863 SOUTHLIN CORPORATION – Vice Chairperson Glass noted this is a new type 112 application with the local board voting three (3) to zero (0) to approve.

Vice Chairperson Glass moved to uphold the local board’s recommendation to approve the new permit. Motion seconded by Commissioner Davis and it was unanimously approved.

DL37-19862 KL COUNTRY, LLC – Vice Chairperson Glass noted this is a new type 116 application with the local board voting four (4) to zero (0) to approve.

Vice Chairperson Glass moved to uphold the local board's recommendation to approve the new permit. Motion seconded by Commissioner Marks and it was unanimously approved.

RR30-19858 DAVID CUAUTLE – Vice Chairperson Glass noted this is a new type 210 application with the local board voting three (3) to zero (0) to approve.

Vice Chairperson Glass moved to uphold the local board's recommendation to approve the new permit. Motion seconded by Commissioner Davis and it was unanimously approved.

RR29-19477 THE CITY OF CARMEL REDEVELOPMENT COMMISSION – Vice Chairperson Glass noted this is a new type 210 application with the local board voting two (2) to two (2).

Vice Chairperson Glass stated the members of the Commission have reviewed the local board tapes concerning this permit due to the split vote.

Vice Chairperson Glass moved to approve the new permit. Motion seconded by Commissioner Marks and it was unanimously approved.

RC32-93264 WHITELICK IND AERIE #3207 FRATERNAL ORDER OF EAGLES – Vice Chairperson Glass stated the location of this permit was annexed into the city limits of Plainfield. Permittee is requesting this permit be converted from a type 211-3 permit to a type 211-4.

Vice Chairperson Glass moved to approve this request. Motion seconded by Commissioner Davis and it was unanimously approved.

INACTIVE FILES

Commissioner Marks moved to make twenty-four permits inactive. Twenty-one (21) permits are not subject to auction and three (3) permits are subject to auction. Motion seconded by Vice Chairperson Glass and it was unanimously approved.

APPEALS FROM LOCAL BOARD RECOMMENDATIONS

RR45-91471 LANETTE ZUNICA, DL49-18873 AMERICAN OIL COMPANY, RR45-02653 LESTER COLLINS – Appeal will be assigned to a hearing officer.

OLD BUSINESS

PROPOSED RULE #01-262 – Chairperson DePrez stated that LSA Doc #01-262 concerning the posting of signs has been signed and approved. Copies are available.

NEW BUSINESS

NORTHWEST INDIANA SYMPHONY ORCHESTRA SOCIETY – The Northwest Indiana Symphony Orchestra Society would like to serve donated alcoholic beverages at their fundraiser dinner.

HEALTHNET FOUNDATION GRAND BAZAAR USA – Healthnet Foundation would like to serve donated alcoholic beverages at their Grand Bazaar.

WAYNE COUNTY FOUNDATION WINE TASTING – The Wayne County Foundation is requesting permission to hold a wine tasting.

HOWARD STEAMBOAT MUSEUM WINE TASTING AND SILENT AUCTION – The Howard Steamboat Museum would like to hold a wine tasting and silent auction.

CATHERINE PEACHEY FUND WINE, WOMEN AND SONG EVENT – The Catherine Peachey Fund would like to serve donated alcoholic beverages at the “Wine, Women and Song” event.

MIRACLE PLACE FIESTA FUNDRAISER – Miracle Place would like to serve donated alcoholic beverages at the Fiesta fundraiser.

CHRISTEL HOUSE EVENING OF ANGELS – Christel House would like to serve donated alcoholic beverages at the Evening of Angels event.

ARTHRTIS FOUNDATION’S 14TH ANNUAL WINE FESTIVAL AND AUCTION - The Arthritis Foundation would like to hold it’s 14th Annual Wine Festival and Auction.

ARTHRITIS FOUNDATION AN EVENING WITH WINE ON THE PRAIRIE – The Arthritis Foundation would like to serve donated alcoholic beverages at “An Evening with Wine on the Prairie” event.

POLICY DETERMINATIONS

There were no Policy Determinations.

UNDER ADVISEMENT

There was nothing Under AdviseMENT.

ANNOUNCEMENTS

AUGUST 20, 2002 MEETING – Chairperson DePrez stated the August 20, 2002 meeting will be held at 9:30 a.m., instead of 2:30 p.m.

ADJOURNMENT

Vice Chairperson Glass moved to adjourn the meeting. Motion seconded by Commissioner Davis and it was unanimously approved.

Approved this _____ day of _____, 2002.

MARY DEPREZ, CHAIRPERSON

BARBARA L. GLASS, VICE CHAIRPERSON

JAMES DAVIS, COMMISSIONER

GIGI M. MARKS, COMMISSIONER